

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR REGULAR MONTHLY MEETING ON TUESDAY, JULY 19, 2016 AT 1:30 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM LOCATED IN THE GOVERNMENT CENTER, 1255 FRANKLIN STREET, SUITE 104, ROCKY MOUNT, VIRGINIA.

THERE WERE PRESENT: Cline Brubaker, Chairman
Charles Wagner, Vice-Chairman
Bob Camicia
Ronnie Thompson
Leland Mitchell
Tommy Cundiff
Tim Tatum

OTHERS PRESENT: Brent Robertson, County Administrator
Christopher Whitlow, Deputy Co. Administrator
B. J. Jefferson, County Attorney
Sharon K. Tudor, MMC, Clerk

Cline Brubaker, Chairman, called the meeting to order.

Invocation was given by Supervisor Charles Wagner.

Pledge of Allegiance was led by Supervisor Bob Camicia.

PRESENTATION TO JIM TOBIN, RETIRING EXECUTIVE DIRECTOR, PIEDMONT COMMUNITY SERVICES

Charles Wagner, Supervisor, Rocky Mount District, presented the following resolution to Jim Tobin upon his retirement:

RESOLUTION OF APPRECIATION

WHEREAS, Mr. James "Jim" Tobin is well known for his commitment to the citizens of Franklin, Henry and Patrick Counties and City of Martinsville, and

WHEREAS, Mr. Tobin provided **42** years of service with the Patrick Henry Drug and Alcohol Council as Executive Director from July 1, 1974 to November, 1989 and as Executive Director for Piedmont Community Services from December, 1989 to August 1, 2016, and

WHEREAS, Mr. Tobin did faithfully and steadfastly serve the many interests of the citizens within Franklin County, and

WHEREAS, Mr. Tobin is retiring from public service as of August 1, 2016, and

WHEREAS, Mr. Tobin, has fostered community partnerships resulting in numerous human service accomplishments including the advancement of the Citizens Against Family Violence organization, thereby linking the area's domestic violence shelters with community mental health and substance abuse services; the advancement of the Franklin County Developmental Center, thereby providing mental retardation support services and the establishment and support of the Franklin County Office on Youth now continuing today as the Children's Services Act, and

WHEREAS, Mr. Tobin, is often recognized around the Commonwealth of Virginia holding numerous statewide positions, including the appointment to the Governor's Substance Abuse Services Council, thereby serving as an interdisciplinary policy advisory to the Governor and General Assembly from 2012-2016, and

NOW, BE IT THEREFORE RESOLVED, by the Franklin County Board of Supervisors to honor and recognize James M. Tobin, Executive Director, Piedmont Community Services for his remarkable example of servant leadership and the invaluable contributions to the citizens of Franklin County and to extend their very best collective wishes to him at this time.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Franklin commend and express their sincere appreciation to Mr. James "Jim" M. Tobin and extend the very best wishes to him at the time of his retirement.

PUBLIC COMMENT:

❖ Anne Carter Lee-Gravely – Tech School vs. Police Department

Ms. Gravely, stated she believes the County citizens have already elected a Sheriff for Franklin County and stated she feels such budgetary dollars should be allocated to the proposed school technical and trade center expansion project.

❖ Carolyn Reilly - Mountain Valley Pipeline

Ms. Reilly requested 5 minutes as she was representing Blue Ridge Environmental Defense League. The Board granted her request.

Presentation Outline to the Board of Supervisors regarding the Proposed Mountain Valley Pipeline

July 19, 2016

Good afternoon. My name is Carolyn Reilly and I reside at 404 Old Mill Creek Lane in Rocky Mount, VA.

WATER – Erosion and Sedimentation:

Yesterday I spent over two hours in Roanoke at the Pipeline Advisory Committee meeting where DEQ had been invited to speak their understanding and perspective of the proposed Mountain Valley Pipeline project. They clearly stated that they “want to be involved in localities.” Is Franklin County willing to step out and request DEQ to visit our region and help give their feedback and commentary on how the proposed MVP could affect our waterways, especially Smith Mountain Lake? A year ago, after learning of water crossing concerns, you invited MVP and met two by two with them to understand how they intend to make 144 water crossings using the “open cut” method. Why wasn’t the DEQ also asked to attend and to visit sites of concern in our county? It is not too late! James Golden, DEQ’s director of operations, and Melanie Davenport, director of the department’s water permitting division personally said to me they are willing to come if asked.

State Permitting vs. Federal Permitting:

Just under a year ago in August of 2015, the Franklin County BOS passed a resolution to the Governor of Virginia requesting oversight from DEQ for an erosion and sediment control plan. As of right now, MVP has applied for a National Permit through the US Army Corp of Engineers. As the board has already made the request for state oversight for the Clean Water Act, Section 404, it makes sense that the board take the opportunity to file public comments to the USACOE. The deadline to file comments is August 1st. I have provided to Steve Sandy the information and docket number.

In closing...

Gentlemen, as you know, month after month, many people from the community have presented the research and information that has been uncovered regarding this proposed pipeline. We have been OPEN and HONEST. Last time I presented, earlier this year in May, I delivered a letter from the executive director of the Blue Ridge Environmental Defense League. This letter asked that a full disclosure of information and documentation be released and shared with the public.

As you may know, the State and Local Government Conflict of Interests Act requires statement of economic interest forms to be filed by all officers and employees of state and local government. Va. Code Ann. §§ 2.2-3100 to 2.2-3131 (2014 & Supp. 2015). Financial disclosure forms filed pursuant to the Act are public records and subject to FOIA. See § 2.2-3115(D). Further, such records are to be maintained for five years in the office of the clerk of the local governing body. Moreover, any exemption from public access to records must be narrowly construed and no record may be withheld unless specifically made exempt by specific provision of law. See § 2.2-3700(B) (2014). However, no such records were provided to us by Franklin County.

I hereby request that all statements of economic interest forms filed by officers and employees of Franklin County be provided to us under the Virginia Freedom of Information Act. I reiterate our request that Franklin County fully disclose its negotiations with natural gas pipeline representatives.

The Board requested staff to follow-up and contact the DEQ officials, thereby inviting them to visit Franklin County.

ANOTHER EXIT OFF DIAMOND AVENUE

Jane Warren,

Good afternoon,

I am Jane Warren, retired English teacher, and Franklin County resident. Each year when my students began to work on their career projects, I would caution them to not box themselves in – to always have a Plan B – to be sure not to put all their eggs into one basket, just in case Plan A did not work out.

The residents of the Grassy Hill/Diamond Avenue do not have a Plan B. Their travel, to and from their community, rest solely on the clear right-of-way of a highway that goes over a train track. This is their only option. Plan A must always work without any hitches, glitches, or barriers.

As you and I well know, sometimes Plan A fails, and we must rely on another one. A prime example of this failure occurred several years ago. One of the residents of this community was providing childcare for my infant daughter. On this particular day, we were receiving a lot of rain and many areas were flooding. Because this area has an area that flooded often, it flooded on this day. When I went to pick up my baby, I had to turn around and go home without her. The bottom was flooded and no one could go in or out until the water receded. Although, I knew my child was in good hands, I was frightened thinking about the what if's.

Now, I realize that flooding in that area is probably not a relevant topic now. The fact that those citizens who reside there are still trapped with only one entrance and exit route is still a reality and is very relevant.

I shudder to think what would happen if one of these residents experienced a medical emergency at the same time that someone had a wreck or a train derailed blocking the exit and the entrance. I shudder to think of a pregnant mother needing to get to the hospital but is not able to because the one thoroughfare is blocked. I shudder to think of an aging parent of mine or yours who needs help and is not able to get it because no one can get in to them. The minutes it takes to correct the problem can place the victims in a life or death situation.

I implore you, the board members, to put yourselves in the shoes of these tax-payers who are trapped in their community.

Just like in life, there has to be a Plan B, an alternate route. My father always told us not to put all our eggs into one basket. Well, these residents have all their eggs in one basket, due to no fault of their own.

I urge you to consider the health of safety of these citizens and to find funds to correct this situation. It's just the right thing to do.

Thank you for your time and your consideration of this matter.

The Board noted that Planning staff is currently working to address this situation and will keep the citizens apprized to their findings.

CONSENT AGENDA
APPROVAL OF ACCOUNTS PAYABLE LISTING, APPROPRIATIONS, TRANSFERS & MINUTES FOR – JUNE 21, 2016
APPROPRIATIONS

<u>DEPARTMENT</u>	<u>PURPOSE</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Tourism	Virginia Tourism Corp Marketing Grant	8110- 55902	\$15,000
Economic Development	Pass Through Grant for Ply Gem	CIP	\$100,000
Registrar	Presidential Primary Reimbursement	CIP	\$24,730
Sheriff	Project Life-Saver Donation	3102- 55105	\$2,000
Public Safety	Rescue Squad Assistance Fund	CIP	\$88,030
	Ambulance Replacement Grant		
Public Safety	Radio System Grant	CIP	\$70,712
Clerk of Court	Part Time Reimbursement	2106- 51003	\$1,200
Library	Book sales, donations	7301- 5411	\$1,759

Library	Additional State revenue	7301- 55412	\$4,000
Library	Additional State revenue	7301- 55501	\$2,000
Library	Additional State revenue	7301- 57025	\$5,500
			\$314,931
Transfers Between Funds, Departments or Capital Accounts			(Decrease), Increase
None			
	Total Transfers		\$0

LIMITED RESIDENTIAL LODGING ACT/SB416 RESOLUTION

On June 21, 2016, the Board was presented information concerning SB416, Limited Residential Lodging Act, that was approved in 2016 General Assembly session. The Act creates a statutory mechanism for the regulation and taxation of short-term rental transactions by allowing primary residents to rent out all or a portion of their homes on a temporary basis and provide procedures for hosting platforms to collect and remit state and local retail sales and use taxes and transient occupancy taxes. The "Act" also proposes to preclude localities from enacting local ordinances that prohibit or restrict the use of a residential dwelling as limited residential lodging or that would impose additional regulations on operators. The "Act" requires the Virginia Housing Commission to convene a working group of interested parties to consider issues related to short-term rentals who need to complete the work by December 1, 2016 and make recommendations to the General Assembly for adoption of legislation in 2017.

During discussion between Board members and staff on June 21, 2016, the Board requested that the staff prepare a resolution to be sent to the Governor and General Assembly members representing Franklin County stating the County's opposition to the proposed legislation particularly the preemption of local land use authority.

Staff has prepared a resolution for consideration and approval by the Board. Staff recommends approval of the resolution.

**RESOLUTION OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF FRANKLIN, VIRGINIA
REQUESTING THE GOVERNOR OF VIRGINIA AND GENERAL ASSEMBLY
MEMBERS TO OPPOSE SB416, THE LIMITED RESIDENTIAL LODGING ACT**

WHEREAS, the Virginia General Assembly passed legislation in the 2016 session known as SB416, the Limited Residential Lodging Act ("Act"), on April 1, 2016; and

WHEREAS, the "Act" creates a statutory mechanism for the regulation and taxation of short-term rental transactions by allowing primary residents to rent out all or a portion of their homes on a temporary basis and provide procedures for hosting platforms to collect and remit state and local retail sales and use taxes and transient occupancy taxes; and

WHEREAS, the "Act" proposes to preclude localities from enacting local ordinances that prohibit or restrict the use of a residential dwelling as limited residential lodging or that would impose additional regulations on operators; and

WHEREAS, the "Act" requires the Virginia Housing Commission to convene a working group of interested parties to consider issues related to short-term rentals who need to complete the work by December 1, 2016; and

WHEREAS, §15.2-2200 of the Code of Virginia declares the General Assembly's legislative intent that localities are encouraged to improve the public health, safety, convenience and welfare of its citizens and that residential areas shall be provided with healthy surroundings for family life; and

WHEREAS, §15.2-2283 of the Code of Virginia authorizes localities to enact zoning ordinances for the general purpose of promoting the health, safety or general welfare of the public and of further accomplishing the objectives of §15.2-2200. Furthermore, the zoning ordinance is to give reasonable consideration to reduce or prevent congestion in public streets, facilitate the creation of a convenient, attractive and harmonious community, protect against overcrowding of land; and

WHEREAS, Franklin County supports the ability to maintain local authority to plan and regulate land use within its boundaries with input of the local residents; and

WHEREAS, Franklin County has developed a Comprehensive Plan and other local ordinances to meet the intent of §15.2-2200 of the Code of Virginia and has regulated the use of short-term rentals in the County since 1995 by adding a definition of short-term tourist rental of dwelling to the zoning ordinance, allowing the use by-right in Residential Planned Development (RPD) and Planned Commercial Development districts and requiring a Special Use Permit for this use in the Agricultural (A-1) zoning district;

WHEREAS, the Franklin County Board of Supervisors and Planning Commission studied this issue again as recently as 2015 and determined that current local control of this land use was adequate for Franklin County; and

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Supervisors expresses its opposition to SB416, Limited Residential Lodging Act, because the "Act" precludes local authority to exercise local discretion and authority to enact local ordinances that regulate the short-term rental of residential dwellings.

AND BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Franklin, Virginia hereby directs the County Administrator to transmit this resolution to: the Governor of Virginia Terry McAuliffe, Virginia Senators Stanley and Suetterlein, Virginia Delegates Byron and Poindexter as well as the Virginia Housing Commission Working Group studying this legislation.

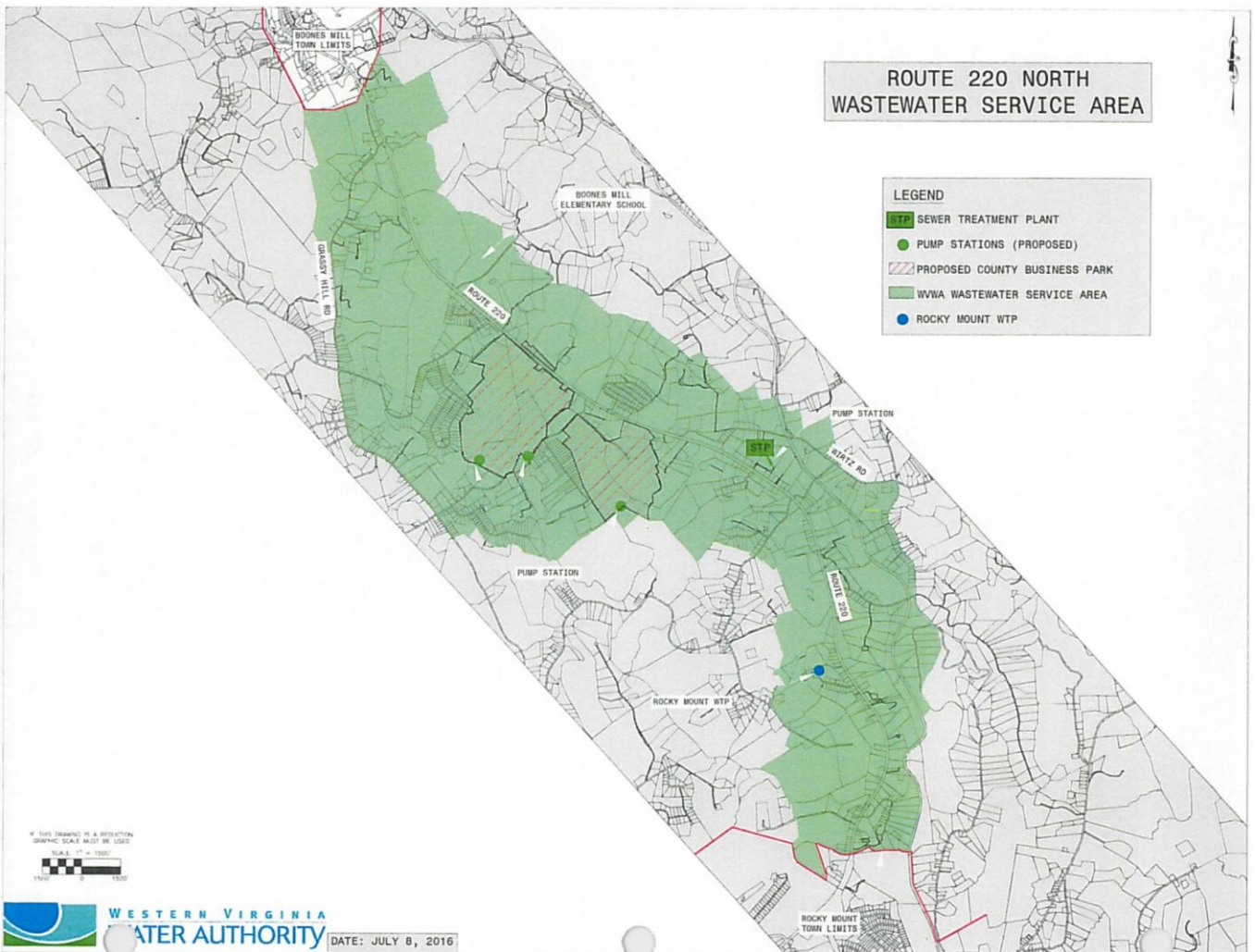
WESTERN VIRGINIA WATER AUTHORITY SERVICE AREA MAPS (FINAL)

On June 21, 2016, the Western Virginia Water Authority (WVWA) presented proposed expansion to the water and wastewater service areas along Route 220 between the Town of Rocky Mount and the Roanoke County line. The proposed expansion was designed to accommodate the County's new business park and ancillary growth along the corridor. This expansion is being planned in conjunction with the designation of the same area as a Designated Growth Area (DGA) in conjunction with Urban Development Area (UDA) legislation found in 15.2-2223.1.

The preliminary service area maps were approved by the Board of Supervisors at their June 21, 2016 meeting. After further review of the maps, WVWA staff requested that the service area boundaries be revised to follow parcel lines for clarity in making determinations of service. Planning and Public Works staff have worked with WVWA to develop revised service area maps dated July 8, 2016.

RECOMMENDATION:

Staff is requesting that the Board accept the proposed modifications to the previously approved water and wastewater service areas dated July 8, 2016 and approve the new WVWA water and wastewater service areas for the Route 220 Corridor between Roanoke County and the Town of Rocky Mount.



The Franklin County Department of Social Services (FCDSS) provides mandated services to the residents of Franklin County through its eligibility services. These programs are designed to help Franklin County's most vulnerable citizens find permanent solutions to life's many challenges. The Department is responsible for administering a variety of programs, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), and

Medicaid. Our goal is to promote the well-being of our citizens through the delivery of essential services and benefits to ensure families are strengthened, and individuals achieve their highest level of self-sufficiency.

FCDSS has received additional funding from the Virginia Department of Social Services in the amount of \$105,820. This amount includes the required 15.5 % match from Franklin County. This allocation amount was determined by our percentage of the statewide Medicaid caseload. This funding is in response to the increased caseloads and requirements in delivering the Medicaid program to county residents. With these funds the agency will be able to create two additional Benefit Program Specialists positions at a cost of \$83,160. The 15.5% match for this amount is \$12,889. FCDSS will not require additional funding as this match can be funded by the current budget due to vacant position savings.

RECOMMENDATIONS:

FCDSS requests to use vacant position saving to be able to utilize the additional funding allocated by the Virginia Department of Social Services.

2016-2017 TOURISM MICROGRANT AWARDS

Annually, the Franklin County Board of Supervisors awards small grants to organizations within the community to assist with promotional and operational expenses of local tourism-related projects and events. These funds help with the marketing of those events and/or programs, while at the same time further allowing the County tourism office to promote Franklin County to potential visitors. For the 2016-2017 fiscal year, \$20,000 has been set aside within the Franklin County Tourism budget for these awards.

A total of twelve (12) applications were received from eight (8) different organizations by the application deadline on July 8th, reflecting a total of \$21,775 in requested funds.

Funding for the Tourism MicroGrant Program is generated by the transient occupancy, or lodging tax, applied to the motels, hotels and bed & breakfast properties in the County. The purpose of this MicroGrant program is to increase the local tourism industry thus creating new jobs, attracting new tourists, spawning new hospitality-related investments and improving the quality of life for Franklin County residents. It is recognized that the County cannot, and should not, be the only provider of tourism events for our community. We should instead assist other organizations in the creation of events and marketing campaigns that can leverage the community's limited resources. We must leverage our limited dollars to support interesting, dynamic and creative special events and marketing campaigns that set Franklin County apart from competitors throughout the mid-Atlantic region.

Tourism MicroGrants exist to support events and activities that a) encourage tourists from outside the region to enjoy our community and make use of our hospitality industry, and b) provide an opportunity to expand the awareness and visibility of the community throughout the region. In reviewing the twelve (12) submitted applications, staff evaluated each applicant on a number of different factors, including, but not limited to, the amount of funds leveraging involved; marketing plan and scope; perceived economic impact; financial need; partnership opportunities; and past performance. Additionally, the estimated number visitors to each event, whether it was a multi-day event, and whether it was a new or established event played major parts in determining the recommendations below. Based on all criteria and available data, staff has made the following recommendations for this year's Tourism MicroGrant Program awards:

APPLICANT	PURPOSE	AMOUNT SOUGHT	STAFF RECOMMENDATIONS
Blue Ridge Institute	Blue Ridge Folklife Festival	\$ 4,000.00	\$ 4,000.00
FC Historical Society	Ghosts & More	\$ 600.00	\$ 600.00
	Moonshine Express	\$ 1,200.00	\$ 1,100.00
	Living History Encampment	\$ 500.00	\$ 500.00
Community Partnership for Revitalization	Come Home to FC Christmas	\$ 2,000.00	\$ 2,000.00

	Court Days	\$ 2,000.00	\$ 2,000.00
SWVA Antique Power Festival	Antique Farm Days	\$ 2,000.00	\$ 2,000.00
	Antique Farm Spring Swap Meet	\$ 250.00	\$ 250.00
SoVa Child Advocacy Center	Johnny Casa 5K	\$ 1,725.00	\$ 500.00
Rocky Mount Center for the Arts	Rocky Mount Arts Festival	\$ 1,500.00	\$ 1,500.00
Franklin County Artisan & Harvest Tour	2 nd year of Artisan Studio Tour	\$ 4,000.00	\$ 4,000.00
Franklin County Barn Quilt Trail	Inaugural Barn Quilt Trail	\$ 2,000.00	\$ 1,500.00
		TOTAL SOUGHT \$21,775.00	TOTAL RECOMMENDED \$19,950.00

RECOMMENDATION:
Staff respectfully recommends that the Board approve the staff recommendations as presented for 2016-2017 Tourism MicroGrant Program awards from the Franklin County Tourism budget.

WESTERN VIRGINIA WATER AUTHORITY/JOHN B. WILLIAMSON, III



June 27, 2016

Ms. Sharon Tudor, Clerk
Franklin County Board of Supervisors
1255 Franklin St.
Suite 112
Rocky Mount, VA 24151

Dear Ms. Tudor:

Enclosed you will find Resolution No. 336 from the Board of Directors of Western Virginia Water Authority. This resolution honors the service of Board member John B. Williamson, III, as a representative of Botetourt County.

As the document requests, please present the Resolution to the Franklin County Board of Supervisors, to be read into the permanent public records.

Sincerely,

Gayle Shrewsbury
Secretary to the Board of Directors
Western Virginia Water Authority

RESOLUTION #336 (05-16)
OF THE
WESTERN VIRGINIA WATER AUTHORITY

Thanking John B. Williamson, III, for his Service as a Director of the Authority

WHEREAS, the Western Virginia Water Authority (the "Authority"), a public service authority formed and existing in accordance with the provisions of Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended, the Virginia Water and Waste Authorities Act §§ 15.2-5100-15.2-5158 (the "Act"), has benefited from the vigilant and insightful service of its most influential director, John B. Williamson, III; and

WHEREAS, heretofore the Board of Supervisors of Botetourt County, Virginia, appointed Retired Gas Company Executive and Virginia Western Community College's Most Famous Graduate, John B. Williamson, III, to serve a two-year term as a director of the Western Virginia Water Authority; and,

WHEREAS, John B. Williamson, III has graciously and capably served in such position, providing the Authority the benefit of his years of experience in the utility business, finance and corporate governance; and,

WHEREAS, John B. Williamson, III has tendered his resignation as a Director after serving for one year, having accomplished a smooth integration of Botetourt County as a new member locality of the Authority; and,

WHEREAS, John B. Williamson, III has been a friend of the Authority since completing his initial term in 2006, and particularly in guiding Botetourt County as it joined the Authority as the newest locality member; and,


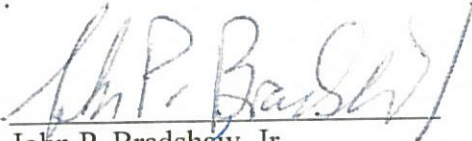
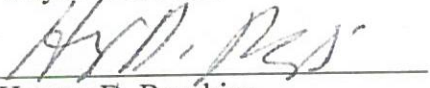
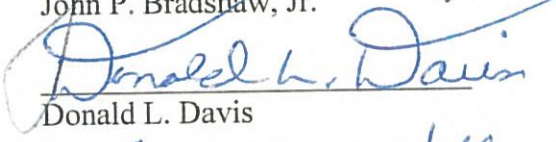


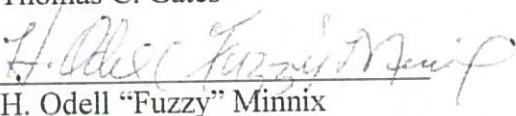
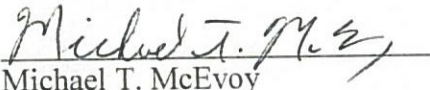
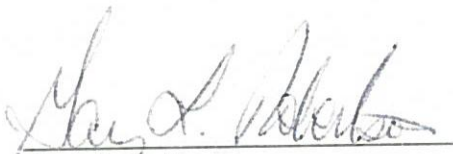
WHEREAS, John B. Williamson, III, will more than likely continue to be supportive of the Authority, both in his capacity as a member of the Board of Supervisors of Botetourt County, but as a well-known, respected and influential member of the Roanoke Region Business Community; and,

WHEREAS, the Authority has assured John B. Williamson, III, that he will always have a seat at the table and that in all probability if and when he does return, the case of *Robertson v. Western Virginia Water Authority* will still be pending.

NOWTHEREFORE, be it resolved by the Directors of the Western Virginia Water Authority that (1) they appoint John B. Williamson the Authority's *Stealth Director* and (2) they extend their heartfelt thanks and gratitude to John B. Williamson, III for his service to the Authority, and that they send him on his way with warm regards and best wishes for his continued health and success.


AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Board of Supervisors of Roanoke County, Virginia, the Board of Supervisors of Franklin County, the Board of Supervisors of Botetourt County, and to the City Council of the City of Roanoke, Virginia, with the request that it be read into the permanent public records of such governing bodies.

This resolution shall take effect immediately.

 Wayne P. Bowers	 John P. Bradshaw, Jr.
 Harvey D. Brookins	 Donald L. Davis
 Thomas C. Gates	 Shirley B. Holland
 H. Odell "Fuzzy" Minnix	
 Michael T. McEvoy	 Gary L. Robertson

CERTIFICATION

The undersigned secretary of the Western Virginia Water Authority does hereby certify that the foregoing is a true, complete and correct Resolution adopted by a vote of a majority of the Directors of the Western Virginia Water Authority, present at a regular meeting of the Board of Directors of the Western Virginia Water Authority duly called and held May 19, 2016, at which a quorum was present and acting throughout, and that the same has not been amended or rescinded and is in full force and effect as of the date of this certification, May 19, 2016.


Gayle Shrewsbury, Secretary,
Western Virginia Water Authority

PROCLAMATION
CELEBRATING THE 50TH ANNIVERSARY
OF
SOLUTIONS THAT EMPOWER PEOPLE



WHEREAS, in 1960 President Lyndon Baines Johnson signed the historic Economic Opportunity Act, thereby establishing more than 1,000 community action agencies (CAA) at the local level; and

WHEREAS, these agencies became pivotal in the War on Poverty by putting a human face on poverty by advocating for those who do not have a voice; and

WHEREAS, Franklin County Community Action (now Solutions That Empower People or STEP, Inc.) was founded in 1966 and has provided programs and services for 50 years to friends and neighbors in need in our community; and

WHEREAS, STEP builds and promotes economic stability through programs such as Housing and Weatherization, Youth Services, Head Start/Early Head Start, Senior Services, Financial Services and Supportive Services as an essential aspect of enabling and promoting stronger communities; and

WHEREAS, Virginia community action agencies leverage more than \$12 for each dollar of Community Services Block Grant funding to provide programs and services to about 170,000 low-income individuals; and

WHEREAS, STEP enhances thousands of Virginian lives by providing essential, life-changing services and opportunities for personal growth and self-sufficiency; and

WHEREAS, STEP is now celebrating 50 years of service to the community;

NOW, THEREFORE, the Franklin County Board of Supervisors do hereby recognize the contributions of STEP, Inc. toward ensuring that Franklin County is a great place to live, work and play for all.

(RESOLUTION #01-07-2016)

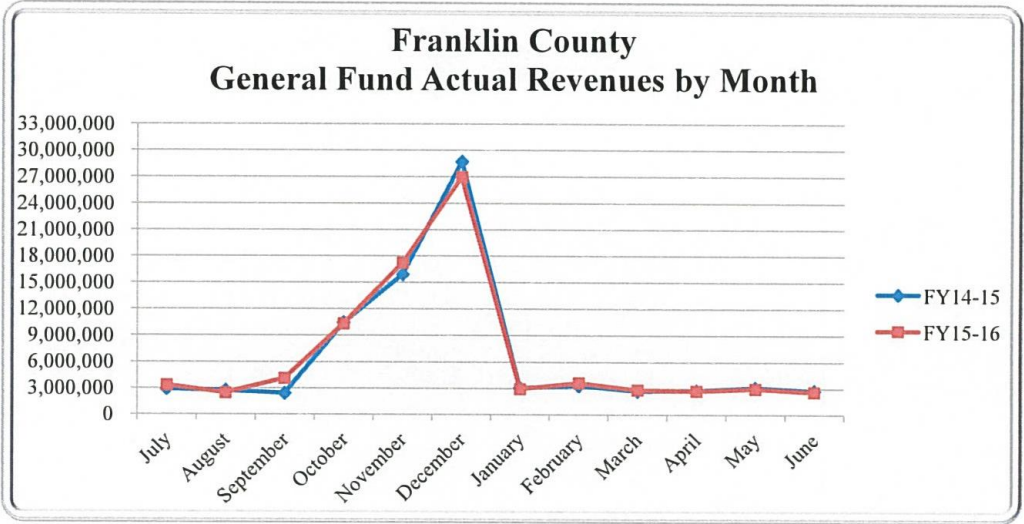
BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned consent agenda items with Bob Camicia, Gills Creek District Supervisor abstaining from voting on the Tourism Micro Grant Application Funding Awards consent agenda item.

MOTION BY: Charles Wagner
SECONDED BY: Ronnie Thompson
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

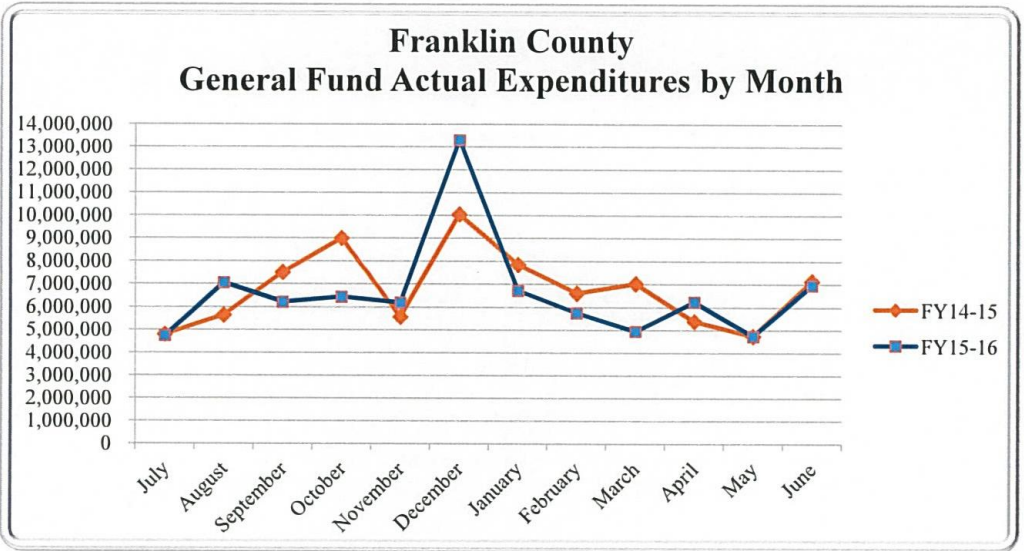
MONTHLY FINANCE REPORT

Vincent Copenhaver, Director of Finance, presented the PowerPoint:

Franklin County				
Cash Basis Revenue and Expenditure Summaries (Unaudited)				
General Fund and School Fund Only				
For The Twelve Months Ending June 30, 2016				
REVENUES:	Budget and Appropriations	Actual Year to Date	Balance To Be	Percent
	Current Year	Revenues	Realized	of Budget
General Property Taxes	48,909,958	49,359,638	449,680	100.9%
Other Local Taxes	11,238,734	11,590,576	351,842	103.1%
Permits, Fees and Licenses	377,000	335,308	(41,692)	88.9%
Fines and Forfeitures	110,000	45,065	(64,935)	41.0%
Revenue from the use of Money and Property	710,560	705,128	(5,432)	99.2%
Charges for Services	2,559,810	2,462,239	(97,571)	96.2%
Miscellaneous Revenue	895,450	999,828	104,378	111.7%
Recovered Costs	545,806	761,474	215,668	139.5%
Revenue from the Commonwealth	15,908,935	15,806,287	(102,648)	99.4%
Federal Government	170,904	142,730	(28,174)	83.5%
Subtotal	81,427,157	82,208,273	781,116	101.0%
Fund Balance/Carryover Funds	1,223,350			
Total General Fund	82,650,507			
Schools				
Cafeteria, Misc, State, Federal	50,513,288	50,391,018	(122,270)	99.8%
Local Funding from County	33,449,870	32,826,771	(623,099)	98.1%
Total School Fund	83,963,158	83,217,789	(745,369)	99.1%
EXPENDITURES:	Budget and Appropriations	Actual Year to Date	Balance To Be	Percent
	Current Year	Expenditures	Expended	of Budget
General and Financial Administration	4,475,917	4,332,996	142,921	96.8%
Judicial Administration	2,804,122	2,673,358	130,764	95.3%
Public Safety (Sheriff, Corrections, Fire, EMS)	13,077,588	12,411,353	666,235	94.9%
Public Works	3,453,169	2,886,445	566,724	83.6%
Health and Welfare	11,883,672	11,314,982	568,690	95.2%
Parks, Recreation, Libraries, Community Colleges	2,038,642	1,979,214	59,428	97.1%
Community Development	3,289,847	2,784,943	504,904	84.7%
Transfers to Schools, Capital, Debt	41,627,550	40,921,409	706,141	98.3%
Total General Fund	82,650,507	79,304,700	3,345,807	96.0%
School Fund	83,963,158	83,313,340	649,818	99.2%



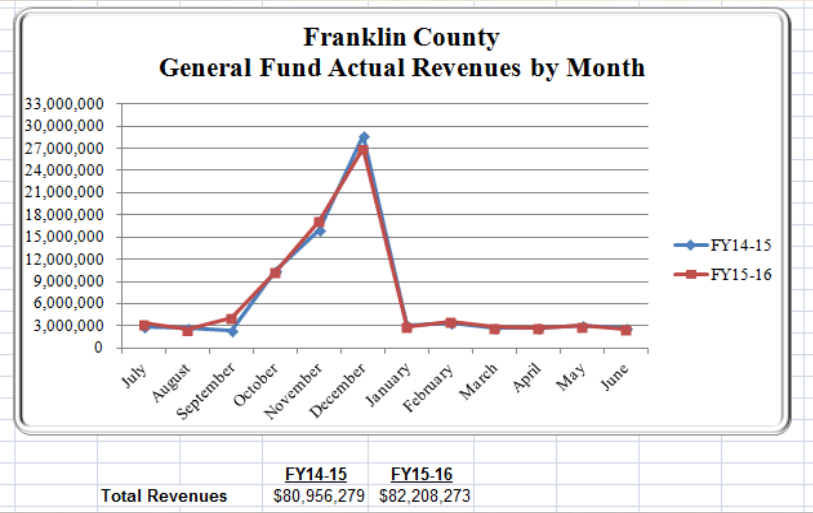
	<u>FY14-15</u>	<u>FY15-16</u>
Total Revenues	\$80,956,279	\$82,208,273



	<u>FY14-15</u>	<u>FY15-16</u>
Total Expenditures	\$81,324,930	\$79,304,700

Franklin County
Finance Report
July 19, 2016

fppt.com



Budget Variance

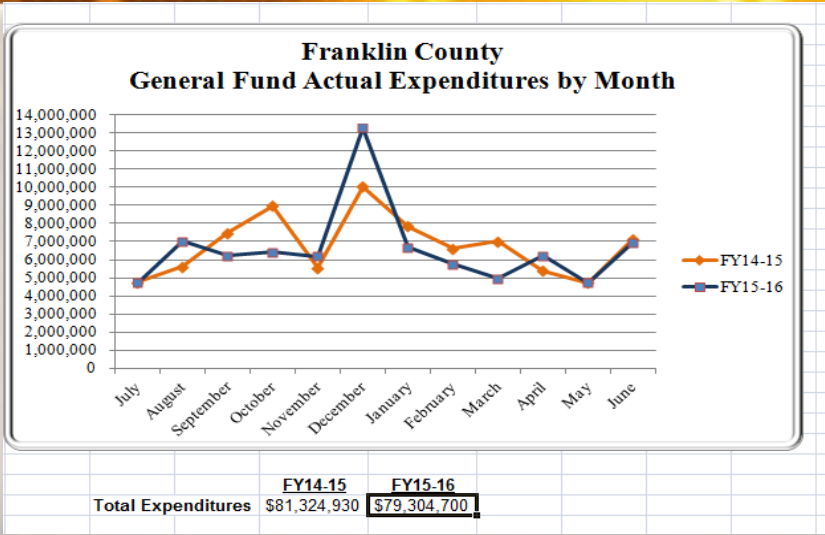
Original Revenue Appropriation \$79,778,780
Revised Revenue Appropriation \$81,427,157
Revisions would include:

- Budgeting the Lakewatch escrow \$300,000
- Recognize additional revenue to be used for capital projects \$700,000
- Budget additional Social Services revenue of \$191,000
- Grants received during the year: Four for Life, Litter Control, etc

Actual June 30, 2016 Revenues \$82,226,953

Variance with original estimate = 2.1%

Variance with revised estimate = 1.0%



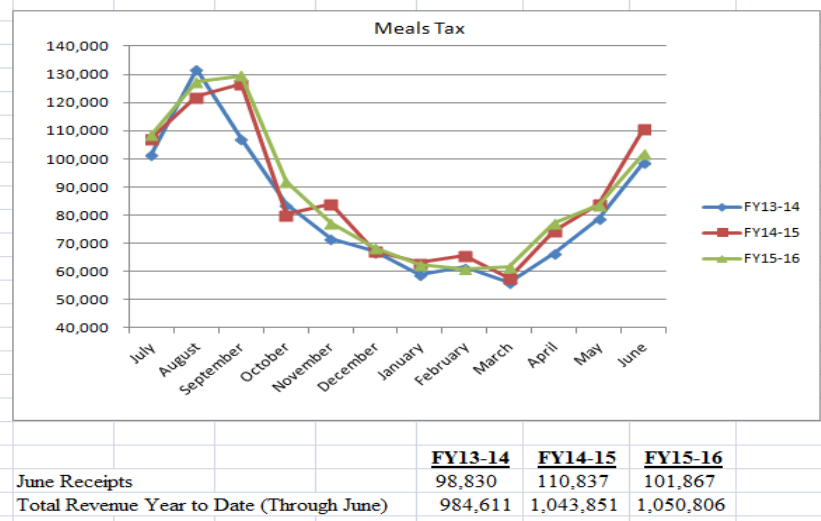
fppt.com

Local Sales Tax

Local Sales Tax	<u>13-14</u>	<u>14-15</u>	<u>15-16</u>	<u>16-17</u>
July	355,909	379,126	399,077	380,692

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Meals Tax



fppt.com

CREDIT CARD VOUCHERS UPDATE

Vincent Copenhaver, Director of Finance, presented the following PowerPoint presentation, as follows:



Purchasing (Credit) Card Program

Franklin County

Background: Pros and Cons

Pros

- Convenient to order supplies, pay bills, make reservations online-easily used for official county travel
- Vendors receive payment quicker
- With available controls we can increase/decrease spending limits at any time and we can also see real time spending transactions. The County also receives monthly analysis reports showing how our cards are used
- We receive 1% cash back for all charges made on our credit cards
- If fraud is detected on any of our cards we are alerted with a phone call. All fraudulent charges are paid by the financial institution.



Background: Pros and Cons

Cons

- As is true with any credit card, there is a risk of fraud and identify thief
- There is work involved in reconciling monthly statements and verifying purchase logs from each card holder



Background

- Current Purchasing (Credit) Card Procedures have been in place since January 2008. There are 46 cards issued at this time.
- Cards may only be used for official individual Franklin County purchases of less than \$1,000. Cards may not be used for personal items or cash advances.
- Sheriff's office and Social Services maintain and administer their own programs. The Sheriff's office has recently improved his program by implementing logs for each card.



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Controls Currently in Place

- All credit cards including the Sheriff's Dept and Social Services are audited annually by the County's external Auditors: Robinson, Farmer, Cox Associates. The Finance department internally audits each credit card log every month.
- Controls enforced by the County include:
 - Monthly spend limits on each card
 - Transaction limits on each card
 - No ability to make cash withdrawals
 - Approval of credit card logs by department head
 - Every log and receipt is reviewed in the Finance department every month



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Controls Currently in Place

- County credit card holders understand that they must reimburse the County with personal funds if a receipt is missing.
- All charges including restaurant charges require an itemized receipt showing the description of the item purchased including the food and drink in addition to the credit card receipt.
- Employees agree in writing to the procedures outlined above before they are issued a card.



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Example of the Credit Card Monthly Log

Franklin County

Purchasing Card Daily Transaction Log

EMPLOYEE INFORMATION:

Name:

Department:

Department Head Name:

Date

Vendor

Item Purchased/Purpose

Qty. & # of People on Receipt

Account Code

Line Item

Total

Completed by / Date

Department Head signature

*****Guidelines & Instructions*****

*****Attach all receipts. Meal receipts should include the restaurant itemized receipt that lists the food and beverages purchased.

MISSED RECEIPTS - You will be responsible to pay. (Please attach payment for any missing receipts)

*****Please complete all columns on each line, giving as much information about the purchase as possible.

*****Grand Total-Purchases should always equal the total amount on your monthly statement.

*****Your signature is required along with your Department Head signature.

*****Summary of Transactions: summarize and total the charges for each line item. The Summary of Transaction total should equal "Grand Total-Purchases"

Account Code

Line Item

Total Amount

Total

\$

-

Bob Camicia, Gills Creeks District, urged the Finance Department to evaluate the methodology of auditing of the credit cards issued to employees (i.e. receipt authenticity).

WATCH FOR CHILDREN SIGN/BAYWOOD SUBDIVISION

Lisa Cooper, Principal Planner, stated in 2009, following a citizen's request, the Board of Supervisors asked County staff to research VDOT guidelines for installation of “Watch for Children Signs” and review the policies and criteria established by other localities. Staff researched VDOT’s guidelines and other localities for this type of signage. Research noted that such signs must be installed and maintained at the expense of the locality as VDOT no longer administers or funds such signage. In the early and mid-2000s, VDOT suspended their "Watch for Children" or Disability Warning signs, whereby VDOT noted that national highway research had indicated such signage was often ineffective and sometimes counter-productive as the signage can give a false sense of security to both motorists and pedestrians. Staff drafted a policy for “Watch for Children Signs”; however following Board discussion regarding the expense and logistics of County staff administering such a program, the draft was never adopted by the Board of Supervisors.

During the June 21, 2016 Board of Supervisors meeting, a Mr. Ron Hamlin approached the Board with the request to petition VDOT to install a "Caution Children" sign along Baywood Drive in the Baywood Subdivision within the Gills Creek District. Subsequently, the Board of Supervisors requested staff to gather additional information concerning “Watch for Children Signs”.

In 2012, the General Assembly amended the code section 33.1-210.2 of the Code of Virginia. The amended code provides that the county or town may install and maintain “Watch for Children” warning signs (W15-V-1) through an agreement with the Commissioner and that the county or town will pay for associated purchase, installation, and maintenance costs of the signage

The “Watch for Children” Sign Program is described in Section 33.2-251 (Code section changed October 1, 2014, Installation and maintenance of “children at play” signs in counties and towns). The code section states, “The governing body of any county or town may enter into an agreement with the Commissioner of Highways allowing the county or town to install and maintain, at location specified in such agreement, signs alerting motorists that children may be at play nearby. The cost of the signs and their installation shall be paid by the county or town”.

In accordance with the statute;

- The County may initiate the installation of these signs only by entering into an agreement with VDOT that specifies the locations of the signs.
- The County is solely responsible for the purchase, installation, and maintenance of the signs and must pay all associated cost.
- Secondary roadway construction or maintenance funds or any other VDOT monies **MAY NOT** be used to pay for such signs.

- VDOT may not install these signs on behalf of the County.
- The signs may be installed only where the statutory or posted speed limit is 35 mph or less at major entry points within a subdivision or at the major approach(s) to a residential development not within a subdivision.
- The signs will be notable by their green color; previous signs were yellow.

An agreement entitled “Agreement for the installation and maintenance of Watch for Children signs in residential areas” will have to be signed by a County Representative and VDOT Representatives.

Prior to moving forward, a “Watch for Children” Sign Program would need to be developed by the County and brought back to the Board for their consideration. Such a program would need to identify application eligibility criteria, procedures, staff assigned to administer the program, as well as funding resources (installation/maintenance/sign replacement, etc.).

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors to give staff any guidance as to whether to proceed further in drafting policies and procedures for such a County signage program.

Bob Camicia, Gills Creek District Supervisor, felt staff should get criteria from other jurisdictions on size, road frontage, etc. and when/where does it make sense for the erection of this signage. Mr. Camicia stated there could be a presence of a false sense of security when there is signage alerting motorist for Watch for Children's.

General discussion ensued. The Board took no additional action.

SMART SCALE (HB2) TRANSPORTATION PROJECTS UPDATE

Lisa Cooper, Principal Planner, advised the Board on June 20, 2016, VDOT held a regional workshop to update localities on the progress of Smart Scale (formerly House Bill 2). There are changes coming to Smart Scale later in July, 2016.

Funding for project prioritization comes from two main pathways; the construction District Grants Program (DGP) and the High-Priority Projects Program (HPPP). Both funding programs were established in 2015 under the Code of Virginia Section 33.2-358. Projects applying for the DGP funds compete with other projects from the same construction district. Projects applying for HPPP funds compete with project from across the Commonwealth. A project sponsor may request funding under both programs based on their eligibility.

Applications for funding through Smart Scale must relate to projects located within the boundaries of the qualifying entity.

- Corridors of Statewide Significance
- Regional Networks
- Urban Development Areas
- Or localities are eligible to submit projects addressing a safety need identified in VTrans 2040 under the construction District Grant monies.

Both Planning and VDOT staff have been working together to present the best proposed projects for this year’s funding source for primary highways in the County. To improve the application process, localities who have key fields in the application process completed by August 15th will be guarantee technical assistance from VDOT and DRPT.

Planning and VDOT staff has identified two possible projects for this year’s funding:

- Southway (Regional Business Park) for both HPPP and DGP funding
- Intersection of Route 670 (Burnt Chimney Road) and Route 834 (Brooks Mill Road) for DGP funding

There is still the possibility of other projects to be considered. Planning and VDOT staff will be finalizing projects and return to the Board of Supervisors in August or September for support and resolution of all projects.

RECOMMENDATION:

Staff respectfully requests the Board of Supervisors authorize two potential projects to start pre-application submittal for funding. The potential projects are Southway (New Business Park) and

the intersection of Route 670 (Burnt Chimney Road) and Route 834 (Brook Mill Road) for HPPP/DGP/or both funding sources. Pre-application submittals are due by August 15, 2016 with final applications submittals by September 30, 2016.

(RESOLUTION #02-07-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors approved two potential projects to start pre-application submittal for funding, Southway (New Business Park) and the intersection of Route 670 (Burnt Chimney Road) and Route 834 (Brook Mill Road) for HPPP/DGP/or both funding sources with pre-application submittals by August 15, 2016 with final applications submittals by September 30, 2016.

MOTION BY: Charles Wagner
 SECONDED BY: Ronnie Thompson
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

YMCA BOARD MEMBER APPOINTMENT

Jim Currie, Executive Director, YMCA requested the Board of Supervisors to elect Charles Wagner to serve on the YMCA Board as a nonvoting YMCA Board position. The YMCA mission is to strengthen the community by helping others who are in need. Mr. Currie, stated he could not answer the question as to WHY a Board of Supervisor member could not serve on the YMCA Board. Mr. Currie stated with a new Board the YMCA Board is committed to transparency and accountability and they would like to extend to the Board of Supervisors a seat on the YMCA Board. General discussion ensued. Mr. Wagner stated he would be willing to serve as a voting member on the YMCA Board.

(RESOLUTION #03-07-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Charles Wagner to serve as a voting member on the YMCA Board.

MOTION BY: Ronnie Thompson
 SECONDED BY: Leland Mitchell
 VOTING ON THE MOTION WAS AS FOLLOWS:
 AYES: Mitchell, Thompson, Camicia, Tatum & Brubaker
 NAYES: Cundiff
 ABSTAIN: Wagner

COMMUNITY PARKS GRANT REVISION REQUEST ROTARY PARK RESTROOMS

Jim Currie, Executive Director, YMCA, shared with the Board the Community Facilities Improvement Program is a grant designed to support public parks in Franklin County that are operated by nonprofits, neighborhood associations, community park groups and bodies of faith. This grant reimburses recipients up to \$5,000 for physical improvements. This grant is overseen by the Parks and Recreation Department and awarded by the Board of Supervisors on an annual basis.

The Franklin County Family YMCA applied for and was awarded \$5,000 from this grant program on March 17, 2015. The grant was to assist the YMCA make improvements to the park bathroom/shelter located next to the Rocky Mount YMCA (see attachment).

After the grant was awarded, the restrooms were seriously vandalized further and at the point that they were no longer operational. Because of this, the YMCA decided that it would be better if the bathrooms were removed instead of renovated. Since the grant was awarded specifically for "renovation" the YMCA needs to have approval from the Board of Supervisors to use grant funds for "removing" the restrooms. Parks and Recreation Staff explained this process to the YMCA.

Parks and Recreation staff presented the YMCA's request to change the grant to the Recreation Advisory Commission (RAC) on April 7, 2016. The RAC voted in favor of the change contingent if the Rocky Mount Rotary Club gives their approval. The YMCA and Parks and Recreation Staff made the request to the Rock Mount Rotary Club on May 26, 2016. The Rocky Mount Rotary Club voted to give their approval to removing the restrooms.

On the June 14th Parks and Recreation Staff noticed that the bathrooms had been removed before final approval from the Board of Supervisors.

The funds from the Community Facilities Improvement grant are reimbursable. The YMCA has not received any funds for this project however they are requesting to be reimbursed for the costs to remove the restroom.

RECOMMENDATION:

Staff respectfully requests the Franklin County Board of Supervisors to review the YMCA's request to amend the Community Facility Improvement Grant from renovating the YMCA bathrooms to removing them.



For Youth Development
For Healthy Living
For Social Responsibility

Estimate of Project for one restroom:



- Stainless/Lidless Industrial Toilet.....\$800.00 - actual
- Fully ADA-compliant 18" from floor to top of seat
 - Durable stainless steel construction - great for public restrooms
 - Front mounted, floor outlet waste
 - Satin finish exposed surfaces except for integral seat area
 - Integral elongated seat polished to bright mirror finish
 - Designed to withstand 5000 lb load weight
 - Self-draining flushing rim
 - Blowout flushing action
 - Uses water saving 1.6 gpf



- Wall mounted actuator.....\$190.00 - actual
- The 9603-1.6 MBFW (metal button fixture wall actuator) includes a wall clamp and threaded rod for the wall installation for walls up to 8" thick. A spacer is provided for walls less than 2" thick.

Hand sanitizer wall mount (like the ones in the porta potties).	Donated
\$15/hour labor / volunteer hours- Estimated 30 hours...	\$450.00
Smart Lap Panel or 5/8" Plywood.....	\$355.00
Industrial door with interior lock only.....	\$700.00
Paint & Primer 2 gallons each.....	\$160.00
Hardware (dead bolt, interior pull handle).....	\$60.00
	\$2715
	\$225.00 – donated hrs
	\$175.00 – donated toward
	Partial Commitment Local interest
	\$160.00 Local interest
	<u>\$Discounted in donation form</u>
	\$600 as well as additional materials



For Youth Development
For Healthy Living
For Social Responsibility

The breakdown of the park restroom project grant.

For the one restroom as noted in the document:

Cost for the rustic renovation of two restrooms is \$5430*

Donated materials, volunteer hours, labor & maintenance: \$2200 (estimate)

Tools & Equipment: wear & tear on the YMCA & volunteer equipment

Please note this is not including any issues they may encounter during the renovations. While we do have commitments from some businesses in the community to assist with cost of items there will still be the potential for additional materials. We understand that this would not be the responsibility of FCPR.

*While the total cost to renovate the two facilities will be over the \$5000 grant cap, the FC Family YMCA is requesting a total of \$5000 toward the construction of the renovated facilities.

General discussion ensued.

(RESOLUTION #04-07-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the request as presented.

MOTION BY: Bob Camicia

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Thompson, Camicia, Tatum & Brubaker

NAYS: Mitchell, Cundiff

ABSTAINED: Wagner

MOTION PASSED WITH A 4-2-1 VOTE

TRI-AREA CLINIC PROJECT FUNDING REQUEST

Mike Burnette, Economic Development Director, advised the Board with an update on the request by Tri-Area Health Clinic for the County to sponsor a grant from the Department of Housing and Community Development (DHCD) for the Clinic's proposed Ferrum facility. This request was made at the Board's June meeting. Brent Robertson asked Michael Burnette, Economic Development Director, to update the Board on this request. Mr. Burnette informed the Board that no staff recommendation could be given today due to the possibility of the County requesting the same grant in March 2017. The Tri-Area Health Clinic request is for a planning grant from the Community Development Block Grant (CDBG) fund operated by DHCD. Mr. Burnette reported that planning grants are expected by DHCD to become construction grant applications the following March. This may cause a conflict with the County's own construction grant application that will be submitted in March 2017 for development of the new County business park. It was noted that chances are very remote that DHCD would award two construction grants to the same locality applicant. Mr. Burnette will provide an updated staff recommendation to the Board at its September meeting.

PROPOSED MOUNTAIN VALLEY PIPELINE FERC PUBLIC MEETING

Brent Robertson, County Administrator, advised the Board he had heard from FERC, whereby they advise a public meeting is tentatively being planned in November to be held locally in Franklin County for citizens concerning the Environmental Impact Statement (EIS). Logistics must still be arranged.

BEDFORD REGIONAL RAIL

Bob Camicia, briefed the Board on the Amrrack Service Stop being proposed in Bedford.

WESTLAKE VILLAGE PLAN

Bob Camicia, offered his compliments to the various citizens working on the Westlake Village Plan, thereby noting the Planning Commission may hold a public hearing in September.

POLICE/SHERIFF'S DEPARTMENT UPDATE

Brent Robertson, County Administrator, Vincent Copenhaver, Director of Finance, and Chuck Kirby, Chief Operations Analyst, presented the following PowerPoint Presentation concerning the initial steps involved to establish a County Police Department:

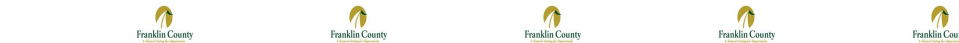


**Initial Steps to Establishing
a Police Department
Exploratory Study**



Overview

- Review legal steps to establishing a PD
- Consider what it takes to initiate a PD
- Overview of funding impact
- Analyze reasons to institute a police department
- Assess alternatives to creating a police force



Legal Requirement for Instituting a New Police Department

REFERENDUM

Referendum Required Prior To Establishment of County Police Force

- According to § 15.2-1702 of the Virginia Code, “A county shall not establish a police force unless (i) such action is **first approved by the voters of the county** in accordance with the provisions of this section and (ii) the General Assembly enacts appropriate authorizing legislation.”

Referendum Requirements

- The governing body shall petition the court, by resolution, asking that a referendum be held.
- The clerk of the circuit court shall publish notice of the election in a newspaper of general circulation in the county *once a week for three consecutive weeks* prior to the election.
 - The notice shall contain the ballot question and a statement of *not more than 500 words* on the proposed question.
- The explanation must be in *plain English* and shall be limited to a *neutral* explanation.
 - The county attorney shall prepare the explanation.

Holding the Referendum

- The county may use public funds to produce and distribute *neutral* information about the referendum.
- The regular county election officers shall open the polls. The election shall be by ballot, prepared by the electoral board of the county, and shall ask the following question:

- **"Shall a police force be established in the county and the sheriff's office be relieved of primary law-enforcement responsibilities?"**
- ☐ Yes
- ☐ No

Referendum Outcome

- The ballots shall be counted and the results certified by the electoral board to the court ordering the election.
 - If a majority of the voters vote "Yes," the court shall enter an order proclaiming the election results and a duly certified copy of such order shall be transmitted to the county governing body.
 - The governing body shall proceed to establish a police force following the enactment of authorizing legislation by the General Assembly.
- If the referendum is defeated, **no subsequent attempt shall be made for a period of four years** from the date of the prior referendum.

If Approved By Voting Citizens...

MAKING THE TRANSITION

Additional Public Safety Institution

- The Sheriff’s Office will still exist to provide a variety of functions such as court security, serving warrants, and corrections.
- Franklin County will continue to fund the Sheriff’s Office, in addition to the new Police Department.

Considerations for Creating a Police Department

- Hiring the Police Chief
- Hiring personnel
 - Keep Sheriff’s Office law enforcement employees, and/or hire new employees?
- Facility planning/acquisition
- Equipment/vehicle purchase(s)
- Communications/dispatch
- Training

Comp Board Changes & 599 Program

FUNDING

Commonwealth of Virginia

Compensation Board

- It exists so that Virginia can contribute toward the total cost of operations for Constitutional Officers.
- Nearly 95% of the Compensation Board’s annual appropriations for Constitutional Officers goes to salaries.

Compensation Board Contributions

Sheriff’s Office: Now

- **77** CB funded positions
 - 36 CB funded law enforcement positions could shift to the Police Department

- **\$3,090,508** total CB contribution

Sheriff’s Office: After Police

- **41** CB funded positions

- **\$1,657,470** total CB contribution

Compensation Board Summary

- **77** Sheriff’s Office positions are funded by the Compensation Board
- The Compensation Board funds approximately **42%** of the Sheriff’s Office budget
- Moving to a Police Department, the Sheriff’s Office would **lose** approximately **\$1,433,038** in Compensation Board funding

State Aid To Localities With Police Departments (599)

- The *Code of Virginia* (§9.1-165, et seq.) provides financial assistance to localities with police departments.
- To be eligible for "599" funds, a locality must:
 - have a police department as defined in §9.1-165
 - ensure all law enforcement personnel meet Virginia’s minimum training requirements
 - annually certify that the department is 599 eligible
 - ensure 599 funds **supplement** local funds

Police Department Definition (§ 9.1-165)

- **Police Department** – An organization established by ordinance by a local governing body that is responsible for the prevention and detection of crime, the apprehension of criminals, the safeguard of life and property, the preservation of peace and the enforcement of state and local laws, regulations, and ordinances.
- Such department shall have:
 - a police chief
 - other personnel as may be provided for in the ordinance
 - at least one sworn full-time employee
 - at least one officer on duty at all times.

Police Training

- All law-enforcement officers serving as members of a police department must meet minimum training standards, according to §§ 9.1-102 (job classifications and response scenarios) and 9.1-114 (full-time appointments and gun-carrying part-time officers).
- Some personnel may be exempt from the minimum training standards according to §§ 9.1-113 (appointment date) and 9.1-116 (DCJS Board & Department approved exemptions).

599 Funding Calculation & Distribution

- 599 is a formula-based grant, calculated biennially by the DCJS, and distributed quarterly.
 - The amount available for distribution is set by the General Assembly through the annual Appropriations Act.
 - **The General Assembly reserves the right to make standard 599 allocations, rather than using a formula – and has used this method for more than five years.**
- The distribution formula includes variables such as:
 - Persons enrolled in TANF, individuals in foster care, population density, and land area.
 - High numbers = more funding; low numbers = less funding.
 - POSITIVE: Large land area
 - NEGATIVE: Low total population and low population density

599 Funding Range

- Funding estimates are difficult to gauge, due to the following factors:
 - Amount awarded by Virginia varies annually
 - Method of distribution
 - Number of localities receiving 599 funding
- Based on these factors, the range for potential funding is broad (\$500,000 - \$900,000)

599 Summary

Benefits

- Easy to meet 599 police department definition
- Relatively easy to apply and maintain grant eligibility
- Grant supplements local police expenses
- No matching fund requirement

Costs

- Training for 599 eligibility can be complex and costly
- 599 funding will fluctuate by calculation method and is provided for the *next* fiscal year (FY '18-'19)
- Dependant on availability, General Assembly largesse, and number of localities receiving 599 funds

WHY INSTITUTE A POLICE DEPARTMENT?

Reasons to Institute a Police Department

- ### Pursue a Police Department

 - Inadequate service provision
 - Slow response times
 - Population increases
 - More control
- ### Remain with Sheriff’s Office

 - Political issues between Sheriff and elected or high-ranking officials
 - Response to highly publicized event(s)
 - Negative public opinion

Ways to change the status quo

POLICE DEPARTMENT ALTERNATIVES

Alternatives to Creating a Police Department

- Keep the status quo
- Modify service provision
- Enter Memoranda of Understanding with nearby communities
- Contract with private security firms

General discussion ensued.

Mr. Ronnie Thompson inquired as to the timeline for starting a Police Department once voters approve.

Mr. Camicia questioned the retention, shared, repurpose or reuse of assets, vehicles, etc. and inquired as to the office location of both a Sheriff and Police Department.

Mr. Jefferson inquired as to whether any calculation for operational and capital costs had been completed for future years or the out years following the initial start-up year of a Police Department.

Mr. Wagner questioned as to whether any research from other localities had been collected as to that respective locality's experience with the costs and challenges of operating both a Police and Sheriff's Department.

Chairman Brubaker questioned as to what locality most recently established a Police Department, whereby he would like to receive an overview of that respective locality's figures.

Ronnie Thompson, Boone District Supervisor distributed to each Board member the following information on the allocations to localities eligible for "599" funding, as follows:

Sir,

In answer to your question, I found a short answer on our website and then following that I provided Code of VA guidance.

“Allocations to localities eligible for "599" funding are determined by a formula that uses, among other variables, population. The *Code of Virginia* provisions governing the “599” program require the Department of Criminal Justice Services (DCJS) to use population data from the U.S. Census and the Weldon Cooper Center for Public Service at the University of Virginia. However, the *Code* also gives DCJS authority to make adjustments for population changes caused by annexations or boundary adjustments when those changes have not yet been incorporated into the data from the Census Bureau or the Center for Public Service.” Contact for this information at DCJS is Joe Marshall

Specific information you requested is covered in the Code of VA 9.1-165 through 169

§ 9.1-165. Definitions.

"Distribution formula" means that linear equation derived biennially by the Department, using standard statistical procedures, which best predicts average crime rates in all cities and eligible counties in the Commonwealth on the basis of the following factors in their simplest form:

1. The total base year number of (i) persons enrolled in Temporary Assistance to Needy Families, (ii) persons in foster care, and (iii) persons receiving maintenance payments in a general relief program, per 100,000 base year population; and

2. The local population density, based on the base year population estimates of the Center for Public Service, adjusted for annexation as determined by the Department, and the land area in square miles of the city or eligible county as reported by the United States Census Bureau, adjusted for annexation as determined by the Department.

"Eligible county" means any county which operates a police department.

"Police department" means that organization established by ordinance by a local governing body that is responsible for the prevention and detection of crime, the apprehension of criminals, the safeguard of life and property, the preservation of peace and the enforcement of state and local laws, regulations, and ordinances. Such department shall have a chief of police, which in the case of counties may be the sheriff, and such officers, privates, and other personnel as may be provided for in the ordinance, one sworn member of which shall be a full-time employee. All law-enforcement officers serving as members of such police department, whether full-time or part-time, and whether permanently or temporarily employed, shall meet the minimum training standards established pursuant to §§ [9.1-102](#) and [9.1-114](#), unless such personnel are exempt from the minimum training standards as provided in §§ [9.1-113](#) and [9.1-116](#). Any police department established subsequent to July 1, 1981, shall also have, at a minimum, one officer on duty at all times for the purposes set forth above.

However, notwithstanding any contrary provision of this definition,

1. Any locality receiving funds under this article during the 1980-82 biennium shall be considered to have a valid police department eligible for funds as long as such police department continues in operation;

2. Any town receiving funds under this article during the 1986-1988 biennium shall be considered to have a valid police department eligible for funds even though police services for such town may thereafter be provided by the sheriff of the county in which the town is located by agreement made pursuant to § [15.2-1726](#). Eligibility for funds under this subdivision shall last as long as such agreement remains in effect. Police services for the town furnished by the sheriff shall be equal to or greater than the police services last furnished by the town's police department.

"Population served by police departments" means the total base year population of the Commonwealth less the population served by sheriffs only.

"Population served by sheriffs only" means the total base year population of those counties without a police department, less the latest available estimate from the United States Bureau of the Census of the total population of towns, or portions of towns, having police departments, located in such counties.

"Potential crime rate" means the number of crimes per 100,000 persons in the base year population for each city or eligible county, as derived from the distribution formula.

"State aid to localities with police" means that amount which bears the same relationship to the population served by police departments as state aid to sheriff-only localities bears to the population served by sheriffs only.

"State aid to sheriff-only localities" means the estimated total amount for salaries and expenses to be paid by the Commonwealth, pursuant to Article 3 (§ [15.2-1609](#) et seq.) of Chapter 16 of Title 15.2, to sheriffs' offices in those counties without a police department, based on the actual

percentage of total state expenditures in the base year distributed to those counties without police departments.

§ 9.1-166. Local governments to receive state funds for law enforcement.

The Department of the Treasury shall disburse funds to cities, towns and counties, to aid in the law-enforcement expenditures of those local governments, pursuant to the terms of this article.

§ 9.1-168. Eligibility for funds.

A. Any city, county, or town establishing a police department shall provide the Department written notice of its intent to seek state funds in accordance with the provisions of this article. Such city, county, or town shall become eligible to receive funds at the beginning of the next fiscal year which commences not sooner than twelve months after the filing of this notice.

B. No city, county, or town shall receive any funds in accordance with the terms of this article unless it notifies the Department prior to July 1 each year that its law-enforcement personnel, whether full-time or part-time and whether permanently or temporarily employed, have complied with the minimum training standards as provided in §§ [9.1-102](#) and [9.1-114](#), unless such personnel are exempt from the minimum training standards as provided in §§ [9.1-113](#) and [9.1-116](#) or that an effort will be made to have its law-enforcement personnel comply with such minimum training standards during the ensuing fiscal year. Any city, county, or town failing to make an effort to comply with the minimum training standards may be declared ineligible for funding in the succeeding fiscal year by the Department.

C. A change in the form of government from city to tier-city shall not preclude the successor tier-city which continues to provide a police department from eligibility for funds.

D. Any county consolidated under the provisions of Chapter 35 (§ [15.2-3500](#) et seq.) of Title 15.2 shall be eligible to receive financial assistance for law-enforcement expenditures subject to the provisions of this article. The consolidated county shall be eligible to receive, on behalf of the formerly incorporated towns that became shires, boroughs or special service tax districts within the consolidated county, law-enforcement assistance under the provisions of this article, provided that the consolidation agreement approved pursuant to Chapter 35 (§ [15.2-3500](#) et seq.) of Title 15.2 provides for the additional law-enforcement governmental services previously provided by the police department of such incorporated towns.

1981, c. 485, § 14.1-84.6:1; 1982, c. 600; 1983, c. 4, § 14.1-84.6:2; 1984, cc. 695, 779; 1998, c. [872](#), §§ 9-183.19, 9-183.20; 2001, c. [844](#).

§ 9.1-169. Total amount and method of distribution of funds to counties and cities.

A. The total amount of funds to be distributed as determined by the Department shall be equal to the amount of state aid to localities with police, as defined in § [9.1-165](#), minus (i) the salaries and expenses of sheriffs' offices in such cities and counties as estimated pursuant to Article 3 (§ [15.2-1609](#) et seq.) of Chapter 16 of Title 15.2 and (ii) five percent of the remainder, which shall be placed in a discretionary fund to be administered as specified in § [9.1-171](#). However, the percentage change in the total amount of funds to be distributed for any fiscal year from the preceding fiscal year shall be equal to the anticipated percentage change in total general fund revenue collections for the same time period as stated in the appropriation act.

B. Each city and eligible county shall receive a percentage of such total amount to be distributed equal to the percentage of the total adjusted crime index attributable to such city or county. Payments to the cities and eligible counties shall be made in equal quarterly installments by the State Treasurer on warrants issued by the Comptroller. Notwithstanding the foregoing provisions, the General Assembly, through the appropriation act, may appropriate specific dollar amounts to provide financial assistance to localities with police departments.

1979, c. 83, § 14.1-84.4; 1981, c. 485; 1986, c. 235; 1998, c. [872](#), § 9-183.16; 2001, c. [844](#).

Sheriff Bill Overton stated his department has not been contacted for discussion. Sheriff Overton stated he worried about the message this type of dialogue has caused with concern for the employees serving in the Franklin County Sheriff's Department. Sheriff Overton requested the Board to meet with him and hold a dialogue that will serve the County's needs.

Major Mike Bowman, stated communication is lacking between the Sheriff's Office and the Board of Supervisors. We are a worthy department protecting the citizens of Franklin County. Major Bowman stated the department feels like they are being slapped in the face implementing a Police Department.

The Board requested staff to bring back additional information with regular updates to the Board concerning the implementation of a Police Department.

COP SINK

Brent Robertson, County Administrator and Major Bill Bowman updated the Board on a presentation of an emergency incident mobile device application software for schools/sheriff's department. This is a response tool allowing law enforcement to be made aware and to respond to an active situation within the school system.

Major Mike Bowman, Sheriff's Department, shared with the Board the Va. Tech shooting and the crucial need for any school within the County to utilize such communication application, should the need occur.

Discussion was held on the expansion of this service to other areas (Hospital, Ferrum College, Government Center, Businesses within the County, etc.). Staff will report back to the Board with final costs associated with the implementation of this project.

Bob Camicia, Gills Creek District Supervisor, stated he was very proud of the men and women in the Sheriff's department, thereby noting they are doing a great job in their duties keeping the citizens safe.

YMCA VIDEO

Steve Thomas, IT Director, advised the Board the current video cameras at the YMCA and ESSIG facilities were funded and installed by the County per the request of former Rocky Mount Police Chief and former Board Chair David Cundiff as there had been security concerns in the outside park area along Technology Drive. Mr. Thomas noted while the cameras do not have exact match facial recognition capability, such cameras are quite powerful, whereby a license plate or small lettering can be read. General discussion ensued.

CLOSED MEETING

(RESOLUTION #05-07-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-1, Personnel, a-3, Acquisition of Land, a-5, Discussion of a Prospective New Business or Industry, or of Expansion or Retention of an Existing One, a-29, Contracts, of the Code of Virginia, as amended.

MOTION BY: Charles Wagner

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

MOTION: Bob Camicia

SECOND: Leland Mitchell

RESOLUTION: #06-07-2016

MEETING DATE July 19, 2016

WHEREAS, the Franklin County Board of Supervisors has convened an closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act: and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this Franklin County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were

identified in the motion convening the closed meeting were heard, discussed or considered by the Franklin County Board of Supervisors.

VOTE:

AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

NAYS: NONE

ABSENT DURING VOTE: NONE

ABSENT DURING MEETING: NONE

PURCHASE OF GERALD FLORA PROPERTY/ BUSINESS PARK LAND

(RESOLUTION #07-07-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to exercise the County's option to purchase the approximately 12.2 acre Jerrold Flora Property adjacent to the new business park property for \$480,000 and further authorized the County Administrator and County Attorney to execute such documents to so exercise the option, including a payout schedule agreed upon by Mr. Flora and the County Administrator.

MOTION BY: Ronnie Thompson

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

APPOINTMENTS:

(RESOLUTION #08-07-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to re-appoint Lynn Satalino to serve on the Agricultural Board with said term to expire December 15, 2018.

MOTION BY: Tommy Cundiff

SECONDED BY: Bob Camicia

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

(RESOLUTION #09-07-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Leigh Prom to serve on the Aging Services Board as the Blackwater District Representative with said term to expire July 1, 2020.

MOTION BY: Charles Wagner

SECONDED BY: Ronnie Thompson

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

(RESOLUTION #10-07-2016)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to appoint Robert E. Button as the Snow Creek District Representative on the Social Services Board with a said term to expire on June 30, 2020.

MOTION BY: Leland Mitchell

SECONDED BY: Charles Wagner

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

Chairman Brubaker recessed the meeting for the previously advertise public hearings as follows:

PETITION for REZONE – Petition of **Michael Bailey, Petitioner/Owner**, requesting to rezone from B-2, Business District, General, to A-1, Agricultural District, for 3.6 acres, a portion of 11.211 total acres located on Brooks Mill Road, in the Gills Creek District of Franklin County, and further identified as Franklin County Tax Map/Parcel # 0300005501. (Case # [REZO-4-16-15337](#))

Steven Sandy, Director of Planning and Community Development introduced Terry Herrington, senior Planner.

Terry Herrington, Senior Planner, presented the following staff report for the Bailey rezone:

This is a request of Michael R. Bailey Construction and Michael Boyd to rezone a 3.6 acre portion of an 11.211 parcel, owned by Michael R. Bailey Construction, from B-2 General Business District to A-1 Agriculture. Mr. Boyd is an adjacent land owner and a contract purchaser of the 11.211 acre parcel owned by Mr. Bailey. No use is proposed for the property at this time.

The current split (A-1/B-2) zoning designation on this property was created in 1990 when the Board of Supervisors approved a rezoning petition submitted by Yeatt’s Excavating to rezone 3.6 acres of the 11.211 acre parcel to B-2 to allow the construction of a contractor’s office and storage yard. The rezoning was approved on March 19, 1990; however, the contractor’s yard was never developed.

Mr. Bailey acquired the 11.211 acre parcel in 2009 and only recently realized that a 3.6 acre portion of the parcel is zoned B-2. Mr. Bailey has indicated that he has no intentions of developing or using the property for commercial purposes. After acquisition, Mr. Boyd proposes to use the property, and his adjacent property, for agricultural purposes.

Mr. Bailey was present at the Commission meeting to answer any questions. The Planning Commission had no questions for Mr. Harrington and Mr. Bailey

BACKGROUND

The current split (A-1/B-2) zoning designation on this property was created in 1990 when the Board of Supervisors approved a rezoning petition submitted by Yeatt’s Excavating to rezone 3.6 acres of the 11.211 acre parcel to B-2 to allow the construction of a contractor’s office and storage yard. The rezoning was approved on March 19, 1990; however, the contractor’s yard was never developed. Mr. Bailey purchased the 11.211 acre property in 2009.

SITE STATISTICS AND SURROUNDING LAND USES

<i>Location:</i>	North side of Brooks Mill Road approximately ¼ mile from, the intersection of Scruggs Road and Brooks Mill Road.		
Parcel Zoning	B-2	3.6	acres
	A-1	7.611	acres
	Total	11.211	acres
Existing Land Use:	Vacant – mostly pastureland		
Topography:	Gently rolling		
Adjoining Zoning:	A-1 Agricultural District		
Adjoining and Nearby Land Uses:	Agriculture, Single Family, Public Utility, Contractor Shop		

COMPREHENSIVE PLAN /WESTLAKE-HALES FORD AREA PLAN

The property is designated in the 2025 Comprehensive Plan as Low Density Residential. Low Density Residential Areas are intended to allow gross densities of one to two dwelling units per acre and minimum lot sizes of 20,000 - 30,000 square feet in general proximity to residential support services such as schools, playgrounds, and churches. These areas should either be located in or near existing Towns, Villages, or Rural Neighborhood Centers. It is envisioned that public water and/or sewer will someday serve these areas, meeting all local and state standards and requirements. They should be served by new public roads built by the developer to State standards and dedicated to the State. Recreational facilities and other amenities should be provided. While low density residential areas are typically comprised of traditional neighborhood developments they may also include manufactured housing, free standing townhomes, patio homes and other similar building types.

The property is outside of the existing Westlake Overlay District, but has been included in the draft Westlake-Hales Ford Area Plan currently being reviewed by the Planning Commission. The draft area plan proposes that Suburban Residential development at a maximum density of 4 units per acre is a desirable long range use of property in this portion of the Planning Area.

PUBLIC UTILITIES

The property lies outside the current Western Virginia Water Authority (WVWA) service area. If this parcel is proposed for development at some future date, an evaluation would need to be

undertaken at that time to determine the proximity of the parcel to the WVWA service area, and whether or not connections to public water and/or sewer are feasible or required.

PUBLIC COMMENTS

The staff has not received any inquiries or public comments on this request.

ANALYSIS

The commercial zoning on this parcel was established in 1990 in response to a specific request of a property owner/contract purchaser. The development proposed at that time never occurred and the property has continued to be used for agricultural purposes for the past 26 years.

The County’s current comprehensive plan and draft Westlake/Hales Ford area plan each envision residential development as the desirable long range use of this property. The prospective purchaser of this parcel has no current plans for the development of the parcel and desires to continue the agricultural use. Agricultural (A-1) is an appropriate zoning designation for this parcel until such time the parcel, and surrounding parcels, are proposed for residential development consistent with adopted planning documents.

RECOMMENDATION:

Staff recommends that the Planning Commission consider and **approve** the rezoning petition as requested by the applicants. Specifically:

Public Hearing was opened.

No one spoke for or against proposed rezoning request.

Public Hearing was closed.

(RESOLUTION #11-07-2016)

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the aforementioned rezoning with proffers, whereby the proposed rezoning will not be of substantial detriment to adjacent property, that the character of the projected future land use of the community will not be adversely impacted, that such use will be in harmony with the purpose and intent of the zoning ordinance and with the public health, safety and general welfare, will promote good zoning practice and is in accord with Section 25-730 of the Franklin County Code and Section 15.2-2283, Purpose of zoning ordinances of the Code of Virginia of 1950, as amended.

MOTION BY: Bob Camicia

SECONDED BY: Tim Tatum

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

PUBLIC NOTICE

In accordance with provisions of Section 24.2-306 of the Code of Virginia, as amended notice is hereby given to all interested persons that the Board of Supervisors of the County of Franklin, Virginia proposes to move the polling place for the Ferrum Voting Precinct from Ferrum Rescue Squad, 9285 Franklin Street, Ferrum, Virginia to Ferrum Elementary School, 660 Ferrum School Road, Ferrum, Virginia. Said proposed change, if approved by the Board of Supervisors would become effective with election held on November 2016 election.

Jody Brown, Secretary, Electoral Board, the Ferrum Rescue Squad is currently the polling place for the Ferrum Precinct located at 9285 Franklin Street, Ferrum.

The Electoral Board requests at this time to change the polling place of the Ferrum Precinct from the Ferrum Rescue Squad to the Ferrum Elementary School located at 660 Ferrum School Road, Ferrum. The Board feels that the location, parking and traffic flow would make for a much safer environment for the voters in this precinct. Attached is the letter of approval for the use of the school by Dr. Mark Church, School Superintendent, for Franklin County Schools. If approved the Electoral Board plans to implement by the 2016 November General Election.

RECOMMENDATION: The Franklin County Electoral Board respectfully requests the Board of Supervisors to authorize the polling place change of the Ferrum Precinct from the Ferrum Rescue Squad to the Ferrum Elementary School.

Public Hearing was opened.

Jody Brown, Secretary of the Electoral board noted the request.

No one spoke for or against the proposed relocation of the Ferrum Polling Precinct.

Public Hearing was closed.

(RESOLUTION #12-07-2016)

BE IT THEREFORE ORDAINED, by the Board of Supervisors to approve the relocation of the polling place for the Ferrum Voting Precinct from Ferrum Rescue Squad, 9285 Franklin Street, Ferrum, Virginia to Ferrum Elementary School, 660 Ferrum School Road, Ferrum, Virginia, as advertised.

MOTION BY: Tim Tatum

SECONDED BY: Bob Camicia

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Thompson, Wagner, Cundiff, Camicia, Tatum & Brubaker

Chairman Brubaker adjourned the meeting.

CLINE BRUBAKER
CHAIRMAN

SHARON K. TUDOR, MMC
COUNTY CLERK